



BLEAKLEY PLATT & SCHMIDT, LLP
NEW YORK | CONNECTICUT

July 24, 2020

VIA ECF

Hon. Judge Philip M. Halpern
United States District Judge
Southern District of New York
500 Pearl Street, Room 1950
New York, New York 10007

**Re: *Morones v. Via Garibaldi Inc., et al.*
20 Civ. 00829 (PMH)**

Dear Judge Halpern:

Please be advised that my firm represents the Defendants in the above-entitled action. Pursuant to Your Honor's June 15, 2020 Order, the Parties jointly write to advise the Court of the status of the recent mediation session with the Court-appointed mediator on July 20, 2020. Prior to the July 20th mediation session, Defendants produced certain documents demonstrating Defendants' financial status and claimed inability to pay particularly as a result of the Defendants' restaurants being adversely affected by the COVID-19 pandemic shutdown.

At the July 20th mediation session, Plaintiff requested the opportunity to request additional information concerning Defendants' financial condition after being advised that Defendants are consulting with bankruptcy counsel. Although the Parties were not able to reach a resolution at this session, another mediation session has been scheduled for August 10, 2020 which should provide the Parties sufficient time to exchange and review additional information concerning the Defendants' financial condition.

We therefore respectfully request that the Court continue to delay the initial pretrial conference until after the August 10th session, as the Parties are hoping that this matter might be resolved then in light of the pending issues with additional information concerning the Defendants' financial condition. Thank you for your consideration of this request.

Respectfully submitted,

Bleakley Platt & Schmidt, LLP

By:


Joseph DeGiuseppe, Jr.

cc: Pechman Law Group PLLC

The parties shall submit a joint letter regarding the status of mediation and settlement efforts by August 24, 2020. The Clerk is instructed to terminate ECF No. 35.

SO ORDERED.


Philip M. Halpern, U.S.D.J.

Dated: New York, NY
July 27, 2020